

## **APPROVED DEVELOPMENT CONDITIONS**

**SE 2015-MV-019**

**October 14, 2016**

The Board of Supervisors approved SE 2015-MV-019 located at Tax Map 107-4 ((1)) 62A part, to allow a heavy industrial use (concrete batching plant) pursuant to Sects. 5-604 and 9-511 of the Zoning Ordinance, the Board of Supervisors condition its approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferrable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.
3. A copy of the Non-Residential Use Permit (Non-RUP) shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This special exception is granted for a period of 17 years from the date of issuance of the Non-RUP in accordance with Sect. 9-007 of the Zoning Ordinance. Within the fifteen year from the date of issuance of the Non-RUP, the applicant shall notify the District Supervisor of its intention to renew the special exception or relocate the use. This special exception may be renewed in accordance with the provisions of Sect. 9-014 of the Zoning Ordinance
5. This Special Exception is subject to the provisions of Article 17 of the Zoning Ordinance, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat entitled "Gunston Cove Road," was submitted by Dewberry Consultants LLC and consists of nine sheets dated March 2015 and revised through August 20, 2015, and these conditions.
6. The site plan for the concrete batching plant shall include both the I-6 and R-1 portions of the subject property.
7. The applicant shall dedicate at no cost and conveyance in fee simple with no encumbrances to the Board of Supervisors right-of-way up to 15 feet from the center line of Gunston Cove Road for tax map 107-4 ((1)) 62A part (including both the R-1 and I-6 portions of the property) prior to site plan approval. The applicant retains density credit as may be permitted in Par. 4 of Sect. 2-308 of the Zoning Ordinance.

8. The hours of operation for the concrete batching plant shall be from 4:30 a.m. to 8:00 p.m. Monday through Saturday and from 7:00 a.m. to 5:00 p.m. on Sunday with the exception of specific night pours or emergency work that may include work for public agencies, which may occur outside the hours of operation. When operating outside the hours of operation, when feasible, the applicant shall provide notification to the Mount Vernon District office at least one business day prior to such work or one business day following the start of such work. The applicant shall provide to the Mount Vernon District Office the following information: nature of work, hours of pour, quantity of pour, and expected number of trucks to be in use.
9. No vehicle major service work shall be permitted on the subject property.
10. The concrete batching plant shall be a maximum of 40.5 feet in height.
11. The concrete batching plant silo and shop/office building shall be painted a shade of tan to mitigate the visual impact and blend with surrounding trees and foliage.
12. To the extent feasible, solid surfaces of the concrete mixing plant shall be shielded with fabricated buffer shields or similar shields to mitigate plant noise. Areas where such shields shall be placed and a demonstration of noise mitigation shall be provided to the Department of Public Works and Environmental Services (DPWES) at the time of site plan submission.
13. The outdoor storage of aggregate material shall be located on a concrete slab and enclosed on three sides.
14. A dust collector system shall be used to reduce dust to and from the concrete batching plant. The applicant shall demonstrate the mitigation of dust and noise from the dust collector at the time of site plan submission to the Department of Public Works and Environmental Services at the time of site plan submission.
15. Prior to the issuance of a Non-Residential Use Permit (Non-RUP) for the concrete batching plant, a truck washout area shall be installed in the area shown on the Special Exception Plat. All trucks leaving the property shall be rinsed in the washout area. The washout system shall include a system to treat and dispose of wastewater to address discharge waters with high pH levels.
16. White noise backup alarms designed to direct sound specifically to the back of the truck shall be installed on the applicant's concrete mixing trucks and shall be used instead of backup alarms that produce a "beep, beep" sound.
17. Concrete mixing trucks shall be parked on-site at all times and not on Gunston Cove Road.

18. The maximum number of employees and company vehicles (concrete mixing trucks) shall be coordinated to ensure compliance with the parking requirements in Article 11 of the Zoning Ordinance.
19. The above-ground fuel storage tank shall be subject to applicable Federal, State, and County regulations for hazardous and/or toxic substances that generate, utilize, store, treat, and/or are disposed of as set forth in applicable federal, state, and local regulations.
20. To the extent feasible, the applicant shall use building materials that have been produced or manufactured within 500 miles of the subject property and shall provide proof of installation and invoice receipts, with manufacturer's data showing the production or manufacturing location to the Chief of the Environment and Development Review Branch in the Department of Planning and Zoning prior to the issuance of a Non-Residential Use Permit (Non-RUP).
21. The applicant shall install only LED or fluorescent lamps in all interior building lighting fixtures. The applicant shall provide a maximum lighting power allowance of 1.25 watts/square foot (code maximum is 1.5 watts/square foot for retail area and 0.9 watts/per square foot for the service department area). The applicant shall provide proof of installation, energy usage calculations and manufacturers' product data to the Chief of the Environment and Development Review Branch in the Department of Planning and Zoning prior to Non-RUP.
22. The applicant shall use low-emitting materials for all adhesives, sealants, paints, coatings, flooring systems, composite wood, and agrifiber products, as well as furniture and furnishings if available. Low-emitting is defined according to the following table (again written for the specific case):

• Application	(VOC Limit g/L less water)
• Carpet Adhesive	50
• Rubber floor adhesive	60
• Ceramic tile adhesive	65
• Anti-corrosive/ anti-rust paint	250
• Clear wood finishes	350

Prior to final construction bond release, the LEED-AP, who is also a professional engineer or licensed architect, shall submit a certification statement including supporting documentation confirming that the green building elements listed above have been incorporated into the design and construction of the building. Concurrence and acceptance of the certification statement by the Chief of the Environment and Development Review Branch in the Department of Planning and Zoning shall be provided to the LEED-AP prior to final construction bond release.

23. The applicant shall install motion sensor faucets and flush valves and ultralow-flow plumbing fixtures that have a maximum water usage as listed below.

Prior to final construction bond release, the LEED-AP, who is also a professional engineer or licensed architect, shall submit a certification statement including supporting documentation as detailed below, confirming that the green building elements listed below have been incorporated into the design and construction of the building. Concurrence and acceptance of the certification statement by the Chief of the Environment and Development Review Branch in the Department of Planning and Zoning shall be provided to the LEED-AP prior to final construction bond release.

- Water Closet (gallons per flush, gpf) 1.28
- Urinal (gpf) 0.5
- Showerheads (gallons per minute, gpm\*) 2.0
- Lavatory faucets (gpm\*\*) 1.5
- Kitchen and janitor sink faucets 2.20
- Interior metering faucets 0.25

\* When measured at a flowing water pressure of 80 pounds per square inch (psi).

\*\* When measured at a flowing water pressure of 60 pounds per square inch (psi).

24. The applicant shall demonstrate to the Chief of the Environment and Development Review Branch in the Department of Planning and Zoning that the concrete batching plant has been designed and could qualify as part of the National Ready Mix Concrete Associations' Green Star Certification Program prior to issuance of the Non-RUP.
25. The landscape plan to be submitted at the time of site plan submission for approval by the Urban Forest Management Division and shall include an invasive species control narrative for specific control measures of undesirable plant species found within the existing trees to remain areas along the northern, western, and eastern property lines. All reasonable efforts shall be made to lessen the impacts of crowding and shading by invasive plant species such as *Pueraria montana* var. *lobata*-kudzu vine within the 10-year tree canopy credit areas and existing trees to remain and shall include but not limited to the following language:
- A. Any application of environmentally sensitive approved herbicides shall be applied by a Virginia Department of Agriculture and Consumer Services-Office of Pesticide Services-Commercial Certified Applicator or Registered Technician.
- B. Kudzu Vines: Remove from trees by cutting all vines at ground level. Vines shall be cut again several feet up the trunk. Pull ground vines a few feet from

the base of the tree to slow regrowth up the tree trunk. Remove ground vines 3-4 times per year and applying a systemic herbicide. Retreatment will be necessary for complete eradication. Employing a combination of methods often yields the best results and may reduce potential impacts to native plants, animals and people.

#### Chemical

Two of the more widely used systemic herbicides are glyphosate and triclopyr. Triclopyr comes in two forms – triclopyr amine (e.g., Garlon® 3A, Brush-B-Gone®, Brush Killer®) and triclopyr ester (e.g., Garlon® 4, Pathfinder®, and Vinex®). The amine and ester forms are very different products with specific uses, hazards and precautions. For this reason, whichever is used shall only be used by trained and certified applicators who are familiar with this hazard and know the precautions that need to be taken when using it.

- C. Tree of Heaven: Elimination of tree of heaven requires diligence, due to its abundant seed production, high seed germination rate, and vegetative reproduction. Follow-up monitoring and treatment when needed shall be an integral part of any serious ailanthus management program. Regardless of method selected, treated areas shall be rechecked one or more times a year and any new suckers or seedlings treated (cut, sprayed or pulled) as soon as possible, especially before they are able to rebuild root reserves. Establishing a thick cover of trees (non-invasive and preferably native) or grass sod will help shade out and discourage establishment of ailanthus seedlings. Targeting large female trees for control will help reduce spread of ailanthus by seed.

#### Chemical

The most effective method of ailanthus control is through the use of herbicides, which may be applied as a foliar (to the leaves), basal bark, cut stump, or hack and squirt treatment. While it is relatively easy to kill the above ground portion of tree of heaven, you need to kill or seriously damage the root system to prevent or limit stump sprouting and root suckering.

- D. Invasive species control shall be conducted until bond release.
26. Tree Preservation Fencing. All trees shown to be preserved on the Tree Preservation Plan shall be protected by tree protection fencing during the period of construction. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart, or super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees, shall be erected at the limits of clearing and grading as shown on the SE Plat.

27. A Phase I archaeological study shall be conducted at least 30 days prior to any land disturbing activities on the subject property for the areas of the property that are to undergo ground disturbing activities and previously were unsurveyed. If significant sites are found, a Phase II study shall be undertaken to determine eligibility for inclusion into the National Register of Historic Places. If sites are found eligible, avoidance or a Phase III data recovery shall be undertaken.
28. The landscaping and barrier, specifically along Gunston Cove Road, shall be in accordance with that shown on the SE Plat.
29. Prior to issuance of the Non-RUP and subject to obtaining the necessary permits and approval by the Virginia Department of Transportation (VDOT), the applicant shall design, install and maintain within VDOT right-of-way at a cost not to exceed \$10,000, an entrance sign for the Lorton area. Subject to obtaining the necessary permits from VDOT, the applicant shall landscape the area around the sign and refresh the landscaping once in the spring and fall. The design and location of the sign and landscaping shall be subject to the review and approval of the Mt. Vernon District Supervisor.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the Non-RUP through established procedures, and this Special Exception shall not be valid until this has been accomplished.

The approval of this special exception does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exceptions shall automatically expire, without notice, thirty (30) months after the date of approval unless the activity authorized has been established, or unless construction was commenced and is diligently pursued. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the Special Exception. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.